

## **PROCEDURE: SPECIAL EDUCATION PROCESS FOR ENGLISH LANGUAGE LEARNERS (ELL)**

- Step 1**     o   The referral form for an LEP (Limited English Proficient) student should note the language(s) of the student and family members spoken in the home.
- Step 2**     o   Parent consent form must be transmitted in a mode of communication understandable by the parent/guardian.
- Step 3**     o   A person knowledgeable of the student's culture and fluent in the home language must be a member of the MET (Multidisciplinary Evaluation Team).
- Step 4**     Comprehensive evaluation must include:
- Language proficiency and dominance
  - Consideration of cultural influence on the testing process and results
  - Influence of using a translator/interpreter
  - Assessment of academic functioning in both languages
- Step 5**     o   A person knowledgeable of the student's culture and fluent in his/her language must be a member of the IEPT (Individualized Educational Planning Team). Care should be taken to insure that the parent/guardian truly understands the IEPT process, the information presented and the decisions being made.
- Step 6**     o   Student eligibility for special education programs and services can not be:
- based solely on their lack of English proficiency
  - denied because their language and culture is different than that of the school
  - denied because services are not currently available
- Step 7**     o   The goals and objectives of the IEP must be reflective of the cultural and linguistic needs of the student.
- Step 8**     o   Information obtained during the above process must be distributed to general education personnel, including the bilingual/ESL staff person to facilitate planning and action.
- Step 9**     o   Goals and objectives that reflect the cultural and linguistic needs of the student may require use of native language resources (personnel/materials).
- Step 10**    o   Design Culturally /linguistically appropriate progress indicators and follow-up.

## **PROCEDURE: ELL STUDENTS AND SPECIAL EDUCATION**

**Before declaring an ELL student eligible for special education, the following questions should be addressed:**

1. Does the student demonstrate a chronic history of learning problems *including* learning problems in primary language instructional settings?
2. Has the student had sufficient time to adjust to a new physical and cultural setting?
3. Have the student's basic physical needs been met and have sensory handicaps been ruled out?
4. Has the student been presented with an appropriate learning environment in the regular education program?
5. Have *serious* attempts been made to modify the educational program in the regular education setting?
6. Have appropriate evaluation techniques been employed?
7. Has a professional staff member or other responsible adult familiar with the student's language and culture been involved in the evaluation process?
8. Does data gathered from the parents, teacher observations and other sources support the conclusions being reached about the student?

## **PROCEDURE: PRE-REFERRAL PROCESS FOR ENGLISH LANGUAGE LEARNER (ELL)**

- Step 1**     o Someone reports that a *Limited English Proficient* (LEP) student is experiencing school related problems that are not related to or the result of second language acquisition.
- Step 2**     o The type of problem that the student is experiencing is specified (oral language, reading comprehension, etc.)
- Step 3**     o The possible need for expanded bilingual/ESL service must be explored.
- Step 4**     o A classroom observation may be done by someone knowledgeable in second language learning to evaluate the student's current educational/learning environment.
- Step 5**     o Informal consultation between bilingual/ESL staff and the regular classroom teacher may be an initial step prior to child study.
- Step 6**     o A child study may be convened to examine the nature of the student's problem. The bilingual/ESL staff person must be included.
- Step 7**     o Result of child study can produce:
  - ❖ Resolution of concern
  - ❖ Section 504 referral
  - ❖ Special education referral

## **PROCEDURE: MET (MULTIDISCIPLINARY EVALUATION TEAM) PROCEDURES TO BE USED WITH ENGLISH LANGUAGE LEARNERS (ELL)**

- **Selection/composition of team members.**
  - At least one team member is knowledgeable of the student's language and culture.
  - Bilingual personnel are to be equal, sharing member(s) of the team.
  
- **Determine language of assessment.**
  - Language dominance and proficiency, as well as language of prior schooling has been determined.
  - Examine and determine the need and use of bilingual psychologist/translator/interpreter.
  - Determine whether cognitive and academic assessment should be performed in both the native language and in English in order to provide an accurate picture of the student's abilities. (Students who score Level 1 or 2 on the Woodcock Munoz need assessment in their first language for accurate diagnosis.)
  
- **Examine the socio-cultural factors that impact upon the student's current performance.**
  - Length of time in U.S.
  - Type of culture: impact on disability, assessment, and schooling.
  - Cultural support for education.
  - Impact of disability on family, community and student's future.
  - Observations of the student in both home and community to gauge out of school functioning as compared to school performance.
  - Student's motivation for assimilation and English language learning as a component of learning evaluation.
  - Effect upon present level of academic functioning as the result of the student's experiential background.
  - Student's cultural/linguistic interaction patterns at school, in the home and the community.
  - Family/community expectations for the student and their awareness/acceptance of the problem.
  - Student's level of functioning as compared to siblings. (Probably the best indicator.)
  
- **Determine appropriate assessment instruments.**
  - Psychometric test results are considered as samples of functional behavior and not as measures of cognitive ability. Consider using the K•ABC (Kaufman Assessment Battery for Children) because of its low reliance on language skills.
  - Cognitive ability is best inferred from a wide range of behaviors including social, cognitive and educational tasks as posed within a variety of environmental settings.
  - Consider curriculum based assessment or direct assessment of skills as a more accurate basis for performance testing.

- Use good “clinical judgment” when interpreting the results of any instrument for assessment. Data interpretation requires knowledge of and sensitivity to the linguistic and cultural heritage of the student.
  - Assure assessment of academic functioning in both English and in the native language, if appropriate, as determined by the language proficiency test results.
- **MET report/recommendations**
- All data compiled must be examined by personnel cognizant of the limitations inherent in this alternative evaluation methodology.
  - A key factor in making appropriate educational decisions is to carefully observe the student’s response in learning environments that are appropriate to the student’s language status and current level of functioning.
  - Findings and recommendations should be shared with the student’s parent/guardian prior to the MET & IEPT (Individualized Educational Planning Team) meeting to allow for additional time needed to understand the concepts/implications. Care must be taken to explain the information in a culturally/linguistically appropriate manner.
  - Final recommendations are to be based upon the unique needs of the student within the cultural/linguistic picture of the environment. **(Remember: *The program must fit the student not the student fit the program.*)**

**PROCEDURE: IEP FORM DIRECTIONS FOR USE WITH  
English Language Learners (ELL)**

**When designing an IEP for an English language learner, the following components should be considered:**

- Bilingual/ESL staff should sign page 1 section 1 on the line indicating other personnel.
- Current level of English and native language proficiency and cultural considerations should be recorded.
- Bilingual and/or ESL services should be noted under additional components of student's program.
- Bilingual/ESL staff must consult with the special education staff person responsible for the primary disability to understand the impact of the handicapping condition on the student's progress toward reaching their ESL/bilingual goals.
- Be sure to consider annual goals and instructional objectives specific to English as a second language (ESL) in the following areas:
  - o Structured receptive language.
  - o Structured oral language.
  - o Structured written language.